FOR MYSORE STATE

Rev. (1952) Department.

Rt Sales.

G.O. NO. 168

Dated 12-3-52

Passed
&
Signed
hm

[Despatch Abstract.]

Establishment – Prohibition – Mathabar K
prohibition Guard, Bellary – Dismissal
Appeal for reinstatement – Rejected.

Date -10-1951

SECRETARY TO GOVT. MADRAS
20 OCT 1951
DEVELOPMENT DEPARTMENT
19 OCT 1951
Thro The Secretary to Govt of Madras.

To His Excellency The Governer of MADRAS

Dw 11180/51
23.10.'57

2390/51.

Development Dept

Mem 18/10/51

Sub:- Appeal. K. Santhappa. prohibition Guard. Bellary Tq. Stn.

Appellant

K. Santhappa
Ex. prohibition
Guard Bellary
C/o
B. Dharmappa
Artist.
Herial P-o
Bellary Dist.

Ref:-
1. R.C No 3185/50 H D/9-6-50 of Dy. Commissener of prohibiton. (Enforcement) N.D. Madras
2. R.C No 6049/50-A1 D/14-7-51 of District Prohibiton. officer Bellary.

Honorific. Sir.

The. appellants humble Submission. of appeal is here with submitted against the order's Dy-Commissioner of prohibi-tion (Enforcement) North Division Madras as the appeal was rejected in his R.C No 3185/50 D/9-6-50 & the Copy of the order. is in Annexture (A)

Most Respectfully Showeth as follows

The order for his dismissal is too contrary to police Standing orders and injustice to Civil Service (C.C.A) Rules as the weight of evidence and the probabilities of his poor Case

Facts & Evidence

The. appellants humble Submission may kindly be given Sympathitic consideration.

The appellant was on peon in Excise department. After the introduction of prohibiton he was automatically transferred to prohibiton department as a. Guard.

In. 1947 he was a Guard at Bellary Tq Stn. There. was allegation. between the appellant and the Sub-Inspector

-(P.T.O.)

2

— (Continued) —

So for a revenge the Sub. Inspector had wilfully fabricated a false Case. & there by booked for an offence under Sec 4-1-a of M.P. Act in C RNo 120/47 D/ 12-10-47 along with 2 others From thence he was placed under Suspension pending disposal of the case by the Dy prohibition officer Bellary in his R.C no 909/47 D/ 20-11-47 & the Copy of the order is in Ex 1

While the appellant was under Suspension, the Sub. Inspector took a lenient View of his situation and again booked the appellant for drunkeness along with Twin police Vide Cowl Bazar Cr no 41/48 D/ 6-4-48

After trial the appellant was sentenced to pay a fine of Rs/20 by the S.S.M. Bellary in his C.C No 775/48 dated 12-6-48 Secondly he was Convicted & sentenced to 6 Months R.I. by S.D.M. Bellary in his C.C No 82/48 D/8-4-48 under Sec 4-1-a. of M.P. Act But the Conviction was Quashed in appeal by the Session Judge Bellary in his C.A NO 41/49

For which the Dy. prohibition officer dismissed him from Service with effect from 12-10-47 in his R.C no 909/47. & the Copy of the order is in Ex 1 And the Dist Prohibition officer Confirmed the order in his R dis No 949/47 D/ 10-5-49 & the Copy of the order is in Ex. 2

So the appellant had preferred an appeal to Dist prohibition officer Bellary for re-instatement, but it is lightly viewed & rejected with out any Consideration in his L dis No 2543/49 dt/ 12-10-49 & the Copy of order is in Ex - 3

Again he had preferred an appeal to Dy-Commissioner of prohibition (Enforcement) Madras on 13-4-50. 29-4-50 & 8-5-50 But the Same was rejected in his R.C NO 3185/50 D/9-6-50. (the Copy in Annexture A)

Lastly the appellant had approched the Board of Revenue, and as a result of it, the representation was Called in which the Board was pleased to observe that the procedure prescribed in C.S.(C.C.S) Rule 15 b (1) was not followed & the Commissioner awaits the receipt of his appeal from the Dy. Commissioner (Enforcement) N.D. Madras and the Copy of order is in Ex. - 4.

(Contd)

For which the appellant was asked to furnish the further representation by the Dist prohibition officer Bellary before final orders of that the punishment of Dismissal from Service from 12-10-47 is Fristified vide. R.c no 6045/50 A1 D/24-551 and the Copy is in Ex. 5

The order in R.c no (6045-/50 A1 D/266-51) was delivered Ex 6 to the appellant on 3-7-51 For which he replied on 4-8-51 After which he was again called to offer his further represen-tation before 20-7-51 in his R.c no 6945/50 A D 14-7-51 the Copy of the order is in Ex-7 But unfortunately it was received on 10-8-51 But due to late receipt he sought no chance of reply, as he had already offered on 4-8-51. But till now no orders were received

Hence he had approached the Supreme Authority with a view to safe side the Justice as miscarriage of Justice had prevailed on him

Grounds.

1 The appellant invites a kind reference to para 5 of the Judgement. It is clear abundantly, there from. that the appellant was inflicted in the Case. by his enimies (ie Accused 1 & 2) at the instigations of the prohibition staff, that the Case was not at-all established against him And that he got an Honorable acquittal by the Sessions Judge in his C.A. NO 41/49. Secondly due to grudge and allegation the Sub. Inspector took a chance of the situation and booked the appellant for drunkeness. For which he was fined Rs/20 by the S.S M. Bellary in his C.C NO 775/48 D/126/48

By which it is evident that he was only fined Rs/20 by the Judicial authorities with a less amount of 3 Months pay, which is in no way inflict to award a Capital punishment as required by statutory orders.

So it is clear that the appellant had been grossly victimised by the Sub-Inspector & the Case was Concocted & the Fine amount of Rs/20 was in no way operate for a Capital punishment of dismissal which is too Contrary to the provisions of punishment Rules and statutory orders

. P.T.O .

In Conclusion there at present exists too many subordinate Govt Servants ie police prohibition, etc who were fined over Rs/20 under the M.P. Act by the Criminal Courts were doing duties in their respective departments after departmental disposals.

(2) The appellants dismissal with out an enquiry or framing of charges with out defence or any explanation is too injustice to statutory orders and the original findings & the dismissal order are therefore vitiated. By which it is evident that the Board of Revenue observed that the procedure in Civil Service (C.C.A) Rule 15 was not followed. So the order based there on was. enforceable. ——— And there is no Justification calling for a representation, which goes to show that all the procedure prior to the Confirmation has been duly observed & the documents relied on were not filed as Exibits

Lastly the order of punishment is given retrospective effect from 12.10.47 from a date prior to 2yrs By which it clearly proves that the punishment is illegal & high out of all proportion to the gravity of the allegation, which is too Contrary to policy and Justice.

(3) The appellant had served nearly 21yrs in the department, he had earned over 100 REWARD's, with out any defaulters at his Credit. But the Sub. Inspector had fabricated a false Case in order to trap him under trouble. By which it is evident that the authorities lightly viewed his piece of restoration & that this is a Case for protection of an honest & Correct Servant under Revenue Board order 153

Hence under the above mentioned Circumstances he craves mercy & pleads that he was not guilty of such a Capital punishment And he requests that a boon of interest may kindly be surpassed in this Case & he may kindly be restored & re-instated once again in the department

For which Generosity act of kindness he shall ever pray for the long prosperity of the existing Government for ever. ——— Amen ———

Yours faithfully.

× K. Sanjeevappa

Appellant D/-

Sri.P.L. Narayanaswamy Naidu.M.A.,
Deputy Commissioner of Prohibition (Enforcement) Northern Division. Madras.

R.C.3185/50H Dated 9-6-50

Sub:-Santhappa (K)-Ex Prohibition Guard Bellary District dismissed from service-appeal-orders passed.

Ref:Appeal dated 13-4-50, 29-4-50, 8-5-50 from Santhappa Bellary District Prohibition Officer's No.1779/50AI dated 21-5-50

The Deputy Commissioner finds no reason to interfere with the orders passed by the Deputy Prohibition Officer Bellary in his R.Dis.909/47 dated 10-5-49 and District Prohibition Officer in his L.D is 2543/49 dated 12-10-49. The appeal is therefore rejected.

X XX XX XX

For Deputy Commissioner

P.S.10.6.

To

Appellant Santhappa C/o T.Mahaboob Miyan Carwanpet Adoni. (para 1 only)

Copy to District Prohibition Officer Bellary(whole) with records by Regist ered Post.

(Ex. A) 1 2

Sri V. Krishnamurthy, B.A.,
Deputy Prohibition Officer,
Bellary.

R. Dis. 909/47 Dated 10-5-49.

Sub:- Establishment: Prohibition Guard: K. Santhappa: Dismissal from service: Orders passed:

Ref:- 1). Bellary Taluk Station C.R. No. 129/47 dated 12-10-47.
2). This office R.C. No. 909/47 A dated 20-11-47.
3). C.C. No. 775/48 dated 12-6-48 of Sty. Sub Magistrate Bellary leving a fine of Rs. 20/- for drunkenness in F.I.R. 41/48 of Bellary Cowl Bazar Police.
4) C.C. 82/48 dated 8-4-49 of Sub Divisional Magistrate, Bellary convicting the Prohibition Guard to 6 months R.I. in C.R. 129/ of Bellary Taluk Station.

Prohibition Guard K. Santhappa of Bellary Taluk Station was booked for an offence under section 4 (1) (a) of the Madras Prohibition Act in C.R. 129/47 dated 12-10-47 for possession of 3 gallons of I.D. Arrack in Bandihatti along with 2 others. He was placed under suspension pending disposal of this case, in this office Rc 909/47-A-d. 20-11-47.

The Guard was again booked for drunkenness under section 4 (A) of the Act by the Bellary Cowl Bazar Police in their F.I.R. No. 41/48 dated 6-4-48. The Sty. Sub Magistrate Bellary found the Guard guilty and sentenced him to pay a fine of Rs. 20/- in his C.C. No. 775/48 dated 12-6-48.

The Sub Divisional Magistrate Bellary heard the case in C.R. No.129/ of the Bellary Taluk Station and convicted the accused sentencing him to undergo 6 months R.I. in his C.C. No. 82/48 dated 8-4-49 under section 4 (1) (a) of the Madras Prohibition Act.

The Prohibition Guard K. Santhappa is therefore ~~ipso facto un-~~ to be continued in Government service with effect from 12-10-47 the date from which he was kept under suspension.

11-5

Deputy Prohibition Officer,
Bellary.

To:
K. Santhappa, (thro' the Bellary Taluk Station where he is now working)

Copy submitted to:
The Dist. Prohibition Officer, Bellary.
The Deputy Commissioner of Prohibition (Enforcement)
Northern Division, Madras. 1.

Dated of offence - 12-10-47.

Dated of Punishment - 10-5-49.

Appelate authority Dt.Pro. Officer, Bellary

Appeal time allowed 60 days.

D/

S.O. 12.7.49

Read minutes

This P.Q is not an enquiry and ending in Bellary. I ~~understand~~ she is residing at Adoni So this reference may kindly ~~have to Adoni~~

13
12

D/ 19/7/49

Forwarded to S.I Adoni for despatch to the Esp

Yours sincerely
D.Y.S.P. Bellary
12
21-7-

21-7-49

Copy of R.Dis.909/47 dated 10.5.49. (Ex 2) 7

Sub: Establishment-Prohibition Guard-Santhappa(K)-Dismissed from service-orders-passed

Read:- 1.Bellary Taluk station C.R.No.129 47 dated 12.10.47
2.This office Rc.909/47 dated 20.11.47
3.C.C.775/48 dated 12.6.48 of S.D.M.Bellary levying a fine of Rs.20/- for drunkenness in F.I.R.No.41/48 of Bellary Cowl
4. C.C.82/48 dated 8.4.49 of S.D.M.Bellary convicting the P.G. 6 months R.I. in C.R.129/47 of Bellary Taluk station.

Prohibition Guard K.Santhappa of Bellary Taluk station booked for an offence under section 4(1) (a) of the Madras Prohibition Act in C.R.129/47 dated 12.10.47 for possession of 3 and 4 of I.D. arrack in Bandihatti along with 2 others. He was placed under suspension pending disposal of this case, in this office C.R.909/47 A Dated 20.11.47.

The Guard was again booked for drunkenness under section 4(a) of the Act by the Bellary Koul Bazaar Police in their F.I.R.No.41/48 dated 6.4.48. The S.D.M.Bellary found the guard guilty and sentenced him to pay a fine of Rs.20/- in his C.C.No.775/48 dated 12.6.48.

The Sub Divisional Magistrate, Bellary tried the case in C.R. No.129/47 of the Bellary Talukstation and convicted the accused sentencing him to undergo 6 months R.I. in his C.C.No.82/48 dated 8.4.49 under section 4(~~1~~) (1) (a) of the Madras Prohibition Act.

The P.G.K.Santhappa is therefore found undesirable to be continued in Government service any longer. He is dismissed from service with effect from 12.10.47 the date for which he was kept under suspension.

/True Copy/

for Dist.Prohibition Officer.

A.J.25.5.

C.C. Francis Esqr., B.A.,
District Prohibition Officer, Bellary. (Ex 3)

I.Dis 2543/19 Dated 12-10-19

Sub: Establishment--Santhapra(F) P.C. Dismissed from service--
Reinstatement Petition--orders--passed.
Ref: Bellary Dy.P.C's R.Dis 800/19 Dated 10-5-19
Petition dated 20-8-19 from Fy P.C. V Santhappa.

The petitioner is informed that his request is for reinstatement is rejected.

K.V. Narayanachar
19 Oct 19
For Dist. Prohibition Officer
Bellary.

SPV/16-20

the S.P. Bellary

12

To

Santhappa

Ex. Guard

under Suspension

Adoni P.O.

Chandra Shaker Street

Bellary (DT)

28-11-49.

T.R. 129/17 not-urned

(Ex 4 12

Post Box No.405 Tele.Code Word "Quyadarce"
Office of the Board of Revenue (Excise), Madras.

C.R.No.26661/Abk/50-XD.1 Dated. 29--9--1950.

Sri V.N.Kudva, I.C.S.,
Commissioner of Commercial Taxes.
----NC----

Subject:-Appeal - Santappa (K) Ex-pro.Guard - Bellary district Dismissed from service - appeal - petition.
Read:-From the Dy.Commr.of Prohn.(E) North,R.C.7516/50-H,d/9-9-50
Letter from K.Santappa, dated 26--9--1950.

Reference:

K.Santappa is informed that the Board awaits receipt of his appeal petition from the Dy.Commissioner of Prohibition (Enforcement), Northern Division, Madras.

V.Krishnamurti,
Assistant Secretary.

To
K.Santappa, Ex-Prohibition guard, Adoni.
Copy to Dy.Commr.of Prohn.(E) North.

Forwarded/By order

Senior Superintendent.

NC.30.0 8/10

Ex P57 15.

Sri B.Appalaswami Naidu,
District Prohibition Officer,Bellary.

Rc.6045/50 A1 Dated 24.5.51

Sub: Santhappa(K)-Ex.Prohibition Guard-Bellary District
Disciplinary action - Final Representation called for
Ref: Dy.P.O.Bellary R.Dis.909/49 dated 10.5.49
Board's C.R.26661/50 Abk XD1 dated 24.1.51
Dy.Commr.'s Rc.7516/50 A dated ~~9.5.51~~ = 9.5.51

On the appeal petition of Ex.Pro.Guard K.Santhappa to the Board against the orders of Deputy Pro.Officer,Bellary in his R.Dis. 909/49 dated 10.5.49 dismissing the guard from service, the Board has pointed out that as the procedure prescribed in rule 15(b)(ii) of Civil Services (C C & A) Rules was not followed before the dimissal orders were passed, the appellant ~~shall~~ should now be given a reasonable opportunity to make his final representation against the punishment and that final orders should be passed by the Dist.Pro.Officer,Bellary after taking into consideration his final representation.

A copy of Bellary Dy.P.O's R.=Dis.909/47 dated 10.5.49 is communicated to Ex.Pro.Guard K.Santhappa. On a perusal of the finding of the Deputy Pro.Officer, I have come to the provisional conclusion that the punishment of dismissal from service with effect from 12.10.47 is justified. K.Santhappa may make any representation he may have against against the penalty of dismissal from Service. His representation on this behalf will be taken into consideration before final orders are passed by the Dist.Pro.Officer. He is also informed that ~~the~~ his representation should reach this office before 15.6.51 failing which it will be presumed ~~that he has~~ that he has no representation to make and final orders passed.

26/5/51

Dist.Prohibition Officer,
Bellary.

To K.Santhappa
Ex.Pro.Guard(By R.P.Ack.due)

--

A.T.25.5.

Ex

Sri B.Appalaswami Naidu,
District Prohibition Officer,Bellary.

Rc.6045/50-A1 Dated.26.6.51

Sub:-- ~~Santhappa(K).Ex.P.G.Bellary~~ district disciplinary action final representation called for
Ref:-- This office Rc.6045/50 A1 dated 24.5.51

The attention of the Ex.P.G. K.Santhappa is drawn to this office reference cited above and he should submit his further representation against the proposed penalty to reach this office on or ~~before the date fixing said the delinquent will be disposed of on their~~ own merits.

for Dist.Prohibition Officer,
Bellary.

To Ex.P.G.K.Santha a
Adoni Bellary District.
by R.P.Ack due.

A.G.28.6.

Sri B.Appalaswami Naidu,
District Prohibition Officer, Bellary.

Rc.6045/50 A1

Dated 14.7.51

Sub:-- Santhappa(Sri K) Ex.P.G.Bellary district-disciplinary action final representation called for
Ref:-- This office Rc.6045/50 A1 dated 24.5.51 and 26.6.51

The attention of the Ex.P.G. K.Santhappa is drawn to this office reference cited. He should submit his further representation against the proposed penalty to reach this office on or before 20.7.51 failing which the charges will be disposed of on their own merits.

To K.Santhappa
Ex.P.G.Adoni(By R.P.Ack.due.)

A.G.16.7.

for Dist.Prohibition Officer,
Bellary.

BOARD OF REVENUE (EXCISE) DEPARTMENT

-.-

Establishment - K.Santhappa, Ex. Prohibition Guard Dismissed from Service by Deputy Prohibition Officer, Bellary - Memorial to Government - Submitted.

Read:- Memorial of K.Santhappa dated -10-51.

- -

Station: Triplicane, Madras-5.
C.R.No.2349 Abk.52 XD.1. Dated 11-2-52

DEVELOPMENT DEPARTMENT 14 FEB 1952 SECRETARY TO GOVERNMENT

From

Sri V. Krishnamurti, B.A.,
Asst. Secretary, Board of Revenue (Excise).

Sri V.N. Kudva, I.C.S., Member, Board of Revenue and Commissioner of Commercial Taxes.

16404 Reference:

K. Santhappa, Ex. Prohibition Guard of Bellary district was dismissed from service on 10-5-1949 by the Deputy Prohibition Officer, Bellary with retrospective effect from 12-10-47 the date of suspension as he was convicted under the Prohibition Act.

2. The memorialist preferred an appeal to the District Prohibition Officer, Bellary on 29-8-49 which was rejected. Again he presented a second appeal to the Deputy Commissioner of Prohibition (Enforcement) North, who declined to interfere. Under date 23-6-50, he preferred his third appeal to the Board which was treated as a representation to the Board against the orders of its subordinates and was thoroughly examined. The Board found that the memorialist had been repeatedly convicted in court for drunkenness and proved himself therefore unworthy of retention in service. In its D.No.1389 Abk. dated 6-11-1951 rejected his said representation for re-instatement in the service. The Memorial cited is against these orders and does not contain any new facts.

3. The following records connected with the cases are submitted.

1. Memorial dated -10-51 from Ex. Prohibition Guard K.Santhappa with eight enclosures (20 pages)
2. Bellary District Prohibition Officer's R.909/47 (110 pages)
3. -do- File R.Dis.2543/49 (26 pages)
4. -do- R.Dis.6045/50 (42 pages)
5. Deputy Commissioner, Prohibition (Enforcement) North, File D.3185/50 (48 pages)
6. -do- D.7516/50 (84 pages)
7. Board's Proceedings D.No.1389 Abk. dated 6-11-51 (74 pages).

Assistant Secretary.

To

The Secretary to Government,
Development Department,
Fort St.George, Madras. (with 7 records in name cover)

23 Rev (S) Dept

Establishment – Prohibition – Sankappa K
Prohibition Guard, Bellary – dismissal –
Appeal for reinstatement.

Read :- From Sri K. Sankappa appeal
dated Nil.
From the Bd. of Rev. (Exc.) M.C.R.
2349 Advt. S2 XD.1 dated
C.O. Rt. 168 11-2-52 dt. 12-3-52

The appeal is rejected.

Rs
11/3/52

To
The Bd. of Rev
(Exc.)
M/s. Sankappa
thro'
The Bd. of Rev
(Exc.)

9.3.52

Rev.(S) Dept

Memo No: 3410-I dated: 27.3.1952.

Sub:- Establishment – Prohibition – Samthappa K – Prohn. Guard, Bellary – Dismissal – Appeal for reinstatement – Rejected – Records returned.

Ref:- Govt.(Rt) No. 168 Rev. dt 12.3.52

The following records submitted to Govt. with his C.R.No. 2349 Apk-52 XD.1. dt 11.2.1952 are returned to the Bd. of Rev (Sec). The Bd is requested to acknowledge their receipt.

1. Bellary D.P.Cs R. 909/47 dt 10.5.'49 – (110 pages)
2. " " file R. Dis 2543/49 dt 12.10.'49 – (26 pages)
3. " " R. Dis 6045/50 dt 1-8-'51 – (42 pages)
4. Dy. Commissioner Prohibition (Enforcement) North, file D. 3185/50 dt 18.4.50 (48 pages)
5. – do – D. 7516/50 dt 13-11-51 (84 pages)

P.T.O.

X-20

6. Boards Proceedings D. No. 1389 Alk. dt. 6-11-51. K
(Pages 74)

Mrd^m SC
on 1/4

To
The Bd. of Rev Ajmer
(with enclosures)
N.R. 25-4-'52
M

23/8/52
Encl/8/52

27/5

BOARD OF REVENUE(EXCISE) DEPARTMENT

Sub: -Establishment-Prohibition-Santhappa.K,-Prohibition Guard-Bellary-Dismissal-Appeal for reinstatement-records-return-requested-

Board's reference C.R:2349-Abk/52-XD1,dated 11-2-52.
G.O.Rt.No.168(Dev.),dated 12-3-52.

p.21 & 23 D

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S4

p.23 & D

FIRST ASST. SECRETARY TO GOVERNMENT
3 APL 1952
DEVELOPMENT DEPARTMENT

C.R.No.2349-Abk/52-XD1
Station:Triplicane, Madras-5 Dated: 31-3-1952.

From

Sri V. Krishnamurti, B.A.,
Assistant Secretary, Board of Revenue(Excise)

Sri V.N.Kudva I.C.S.,
Member, Board of Revenue and Commissioner of Commercial Taxes.

****

Reference:-

The Board requests the return of records forwarded to Government along with its reference cited.

Assistant Secretary.

To the Secretary to Government,Development Department,Fort St.George, Madras.

.P.M.1/4.

29 8

Proc. Book No.405.

Office of the Board of Revenue (Excise) Madras.

Telegr. Address: "Quyadarco"

Memo D. No.1350-Abk.

Dated 3-4-1952.

Sri V.N.Kudva, I.C.S.,
Commissioner of Commercial Taxes

:oOo:

SUB: APPEAL - Santhappa K - Ex Prohibition Guard - Bellary - Dismissal from service - Appeal for reinstatement to Government - rejected - G.O. - Recorded and communicated.

READ: G.O. Rt. No.168(Dev) dated 12-3-1952.

Resolution:

3. The Board acknowledges the receipt of records returned along with Government Memorandum No.34140 S/52-1 (Development) dated 27-3-52.

V. Krishnamurti,
ASSISTANT SECRETARY.

To
The Deputy Commissioner of Prohibition (Enforcement) North, (with a copy of G.O. and records). (Para 1 and 2 only).
The Secretary to Government, Development Department, (Para 3 only).
Forwarded / By Order.

SENIOR SUPERINTENDENT.

PRS-5-4.

6-50

T.O AS.

Dev. 5I Dept.

With reference to the memo at (1) above the B.D.R. Rev (Dev) has since acknowledged the receipt of the records returned to it. The papers may now be regarded as closed with the connected No. at (1)

hms
10/4/52.
Q. 11/4/52

Rev
Dev 2

20 (R+) 1b8 Dev
12.3.5

114804 S/22

Note file

Dev. (S) Dept.

Sub:- Establishment - Prohibition - Santhappa K. - Prohibition Guard, Bellary - Dismissal - Appeal for reinstatement.

Ref:- From Sri K. Santhappa appeal dated -10-51.

From the Board of Revenue (Excise) No.C.R.2349 Abk. 52 XD.1 dated 11-2-52.

...

Please see the appeal from Sri K. Santhappa. ex-Prohibition Guard of Bellary and the letter from the Board of Rev. on pages 1-4 c.f. and page 21 c.f. respectively.

2. Sri K. Santhappa was dismissed from service with effect from 12-10-47 as he was convicted under the Prohibition Act. He preferred an appeal first to the District Prohibition Officer, Bellary and again to the Dy. Commissioner of Prohibition (Enforcement), North. These appeals having been rejected, he preferre a third appeal to the Board of Revenue. The Board trea ted the appeal as a representation against the orders of its subordinates and throughly examined the case. It found that the memorialist had been repeatedly convicted in court for drunkenness and proved himself therefore unworthy of retention in service and rejecte the appeal.

3. The memorial of Sri Santhappa in the c.f. is preferred against the orders of the Board rejecting his representation for reinstatement in service. The memorial does not contain any new grounds to interfere with the orders passed by the Board of Revenue.

4. Attention is invited in this connection to G.O. Ms. No.320 Public (Services) dated 20-1-50 where instructions were issued for dealing with Govt. servants convicted under Prohibition Act. According to these instructions, the punishment to be awarded in respect of first conviction should be decided on the merits under the Civil Service (Classification, Control and Appeal) Rules, and in respect of a second conviction the punishment should be dismissed from

2/

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27/2

from service. In this case, the memorialist is reported to have been repeatedly convicted in court for drunkenness and proved himself therefore unworthy of retention in service. The case therefore merits no reconsideration in view of the instructions in the G.O. mentioned above.

For orders/whether the petition will be rejected.

18.2.52

25

H.M.(R.D.)

The Petition may be rejected.

26.2.52

H.M.(R.D.)

8/3

DEPUTY SECRETARY TO GOVERNMENT
8 - MAR 1952
DEVELOPMENT DEPARTMENT

Orders above. A draft order is put below for approval.

9.3.52

11/3/52

Issued vide G.O.(Rt) No. 168 Dev. dt. 12-3-52